

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 1:13-cr-10054-JDB-1

DONALD EUGENE PRIDDY,

Defendant.

ORDER TRANSFERRING SECOND OR SUCCESSIVE § 2255 MOTION TO
UNITED STATES COURT OF APPEALS FOR THE SIXTH CIRCUIT

Before the Court is the motion of the Defendant, Donald Eugene Priddy, seeking relief under 28 U.S.C. § 2255 based on the recent United States Supreme Court case of *Rehaif v. United States*, 139 S. Ct. 2191 (2019). (Docket Entry (“D.E.”) 71.) In 2016, the inmate filed his first § 2255 motion, which the Court denied. (*See Priddy v. United States*, No. 1:16-cv-01129-JDB-egb, D.E. 6.) Priddy’s present motion seeks to add a new ground for relief and is therefore a second or successive § 2255 motion. *See Gonzalez v. Crosby*, 545 U.S. 524, 532 (2005). “Before a second or successive application . . . is filed in the district court, the applicant shall move in the appropriate court of appeals for an order authorizing the district court to consider the application.” 28 U.S.C. § 2244(b)(3)(A). Defendant has not yet obtained authorization from the appellate court to file his new claim. The motion is therefore TRANSFERRED to the Sixth Circuit for authorization. *See In re Sims*, 111 F.3d 45, 47 (6th Cir. 1997) (per curiam).

IT IS SO ORDERED this 18th day of July 2019.

s/ J. DANIEL BREEN
UNITED STATES DISTRICT JUDGE